HON'BLE SRI JUSTICE RAMESH RANGANATHAN

W.P.No.14668 of 1997

Date: 13.02.2007

Between:

G.V.S. Krishna Rao

…. Petitioner

And

State of Andhra Pradesh, represented by
its Principal Secretary to Government,
Education Department, Secretariat,
Hyderabad and 3 others.

…. Respondents

ORDER:

The petitioner questions the action of the respondents in treating the aided post of Store keeper to which he was appointed on 1.9.1978 as unaided post from 22.5.1997 after lapse of 19 years without putting the petitioner on notice. The only consequence of the impugned order is that the petitioner, who was earlier working in the aided post of store keeper, started discharging his duties as a store keeper in an unaided post. It is not even the case of the petitioner that the impugned order has resulted in loss of emoluments. The statutory rules cast responsibility on the employer to pay salaries to his employees on

par with Government scales of pay. Since no prejudice can be said to have been caused to the petitioner on account of issuance of the impugned order, and it is well settled that grant-in-aid cannot be sought for as a matter of right, the relief sought for in this writ petition cannot be granted.

Sri A. Venkata Ramana, learned counsel for the petitioner would submit that the fourth respondent was aged 57 years when the writ petition was filed in 1997 and that he would have retired from service on attaining the age of superannuation. Learned counsel expresses ignorance about subsequent developments as to whether the petitioner was again appointed as a store keeper in the aided vacancy which arose thereafter.

It is made clear that the order now passed rejecting the petitioner's claim for the relief sought for herein would not preclude him from availing such other remedy as available to him in law in case he is aggrieved by any subsequent inaction of the respondents.

The writ petition is dismissed without costs.

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RAMESH RANGANATHAN, J

Date: 13th February 2007

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